



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

NOV 19 2013

REPLY TO THE ATTENTION OF:  
WC-15J

**CERTIFIED MAIL 7009 1680 0000 7678 6928**  
**RETURN RECEIPT REQUESTED**

Ex. 6 (Personal Privacy)

Owner, FOIA Ex. 6 (Personal) Land and Cattle, LLC

Ex. 6 (Personal Privacy)

Subject: September 17, 2013 Compliance Evaluation Inspection

Dear Ex. 6 (Personal Privacy)

Enclosed, please find a copy of the U.S. Environmental Protection Agency Inspection Report for the Concentrated Animal Feeding Operation inspection conducted at FOIA Ex. 6 Land and Cattle, LLC on September 17, 2013. The purpose of the inspection was to evaluate and document compliance of the FOIA Ex. 6 Land and Cattle Facility with the Clean Water Act.

Should you find anything in the report that you disagree with, please provide a detailed response within thirty (30) calendar days.

Thank you for your prompt attention to this matter. If you have any questions, please contact Joan Rogers of my staff at (312) 886-2785.

Sincerely,

Ryan J. Bahr, Chief, Section 2  
Water Enforcement and Compliance Assurance  
Branch

Enclosures

cc: Lee Heeren, IEPA

**CWA COMPLIANCE EVALUATION INSPECTION REPORT**  
**U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

**Purpose:**

Compliance Evaluation Inspection

**Facility:**

FOIA Ex. 6 [REDACTED] Land and Cattle, LLC

FOIA Ex. 6 (Personal Privacy) [REDACTED]

Dakota, Illinois 61018

FOIA Ex. 6 (Personal Privacy) [REDACTED]

**NPDES Permit Number:**

ILA010071

**Date of Inspection:**

September 17, 2013

**EPA Representatives:**

Joan Rogers, Environmental Scientist  
rogers.joan@epa.gov

312-886-2785

Ben Atkinson, Agricultural Scientist  
Atkinson.ben@epa.gov

312-353-8243

**State Representatives:**

Lee Heeren, Ag Specialist

815-987-7760

**Facility Representatives:**

Ex. 6 (Personal Privacy) [REDACTED]

Ex. 6 (Personal Privacy) [REDACTED]

Ex. 6 (Personal Privacy) [REDACTED]

Ex. 6 (Personal Privacy) [REDACTED]

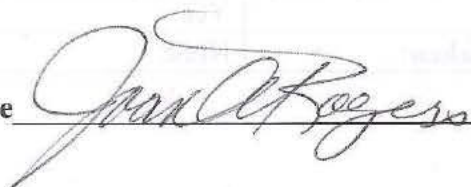
**Report Prepared by:**

Joan Rogers, Environmental Scientist

**Report Date:**

October 25, 2013

**Inspector Signature**

 11/19/13

## **1. BACKGROUND**

The purpose of this report is to describe, evaluate and document the [FOIA Ex. 6] Land and Cattle, LLC's compliance with the Clean Water Act (CWA) at its Dakota, Illinois facility on September 17, 2013. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

[FOIA Ex. 6] Land and Cattle ([FOIA Ex. 6] (Personal)) is a beef cattle Concentrated Animal Feeding Operation (CAFO) in Stephenson County, Illinois. [FOIA Ex. 6] has approximately 880 head of cattle and is considered a medium CAFO based on the number of cattle at the facility.

The facility is located adjacent to an intermittent unnamed tributary. The tributary flows to the south approximately 275 feet to perennial Cedar Creek. The flow goes southwest in perennial Cedar Creek for 11.2 miles until it reaches perennial Little Richard Creek. It then flows 3.6 miles to the Pecatonica River. The Pecatonica River is a Traditional Navigable Water.

[FOIA Ex. 6] Land and Cattle was inspected by Mr. Lee Heeren of the IEPA on April 24, 2013. Mr. Heeren identified permit violations and areas of the facility that had the potential to cause discharges to surface water. The permit violations included an outdated Comprehensive Nutrient Management Plan (CNMP) with regard to the number of animals at the facility, new animal housing, amount of land used for manure applications, changes to crop rotation and outdated land application projections. Mr. Heeren identified spilled feed from feed mixing and the area in front of the Southern Commodity Shed as having the potential to discharge to the intermittent unnamed tributary of Cedar Creek. Also, Mr. Heeren was concerned with a potential discharge or spill from the 6000 gallon tanker of delactosed permeate (DLP) which [Ex. 6 (Personal Privacy)] uses as a food additive. Mr. Heeren advised [Ex. 6 (Personal Privacy)] to update the CNMP and to identify ways to prevent the spilled feed or a spill from the tanker from discharging to the intermittent unnamed tributary.

## **2. SITE INSPECTION**

**Table 1: Site Entry**

<b>Arrival Time:</b>	9:25 A.M.
<b>Temperature:</b>	75°F
<b>Precipitation:</b>	None for 2-3 days.
<b>Presented credentials and time presented?</b>	Yes. Approximately 9:30 A.M.
<b>Credentials presented to whom?</b>	<b>Ex. 6 (Personal Privacy)</b>
<b>EPA vehicle parked in approved location?</b>	Yes
<b>Location where EPA vehicle was parked?</b>	By Machine Shed
<b>Disposable boots worn?</b>	Yes
<b>Other bio-security measures taken:</b>	None



**2.1 Records Review** (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

**Table 2: Documents**

<b>Checklist(s) Used</b>	
R5 CAFO Inspection Checklist	
<b>Facility Documents Reviewed:</b>	
CNMP	
<b>If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?</b>	No
<b>Which information does the facility consider to be CBI?</b>	None

**Table 3: Facility Description**

Type of Animal	Number of Animals	Capacity	Type of Confinement
Beef Cattle	880	880	Open Confinement Barn
<b>Minimum Number of Animals in previous 5 years:</b>			Approximately 500
<b>Maximum Number of Animals in previous 5 years:</b>			880
<b>Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:</b>			880
<b>Amount of Manure Generated per year:</b>			2.5 million gallons liquid and 75 tons solid
<b>(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):</b>			Ex. 6 (Personal Privacy)
<b>Does the facility have an NPDES Permit?</b>			Yes: ILA010071
<b>SIC or NAICS code:</b>			0211
<b>Other facilities under common ownership (name and address):</b>			
None			

**Table 4: Livestock Waste Storage**

Type of Storage	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Barn #1: 8' deep under barn pit	5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	150



Barn #2: 8' deep under barn pit	1.5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	45
Barn #3: 6' deep under barn pit	1.5 months then pumped to Manure Storage Pond	Concrete	No	Unknown	Unknown	45
Barn #4: 10' deep under barn pit	6 months	Concrete	No	Spring 2013	Unknown	180
Manure Storage Pond	1.3 million gallons	Clay	Yes	Spring 2013	1.3 million gallons	180
<b>Records at site of storage structure design?</b>				No		
<b>Additional Information:</b>				None		

**Table 5: Livestock Waste Management**

<b>Describe the way manure is collected and disposed of at the facility:</b>
Manure in the pits under Barn #1, #2 and #3 is pumped to the Manure Storage Pond. The manure in the pit under Barn #4 is land applied directly from the pit in the fall and the spring.
<b>Describe the way used bedding is collected and disposed of at the facility:</b>
No bedding is used.
<b>Describe the way mortalities are managed at the facility:</b>
Mortalities are rendered.
<b>Describe the way spilled drinking water is collected and disposed of at the facility:</b>
Spilled drinking water is collected with the manure in the pits below the barns and managed with the manure.
<b>Describe the way mist cooling water is collected and disposed of at the facility:</b>
There is no mist cooling system at the facility.
<b>Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:</b>
There are no chemicals stored at the facility.

<b>Describe the way water that has been used to wash/flush barns is collected and disposed of at the facility:</b>
The barns are not flushed.
<b>Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:</b>
Feed in the form of gluten, potatoes, corn stalks and potato chips is contained in a commodity shed. Cream of Wheat packets and taco shells were also contained in a commodity shed but there was also a pile of this feed on the ground in front of the shed. Runoff from track-in/track-out can flow with precipitation to the east. Delactosed permeate, a liquid protein, was stored in a 6000 gallon tanker to the south of the south commodity shed.
<b>If a dairy, describe how process wastewater from the plate cooler water is collected and disposed of at the facility:</b>
Not a dairy.
<b>If a dairy, describe how process wastewater from the cleaning of the milking parlor is collected and disposed of at the facility:</b>
Not a dairy
<b>If a dairy, describe how process wastewater from the cleaning of the milk tanks is disposed of at the facility:</b>
Not a dairy

**Table 6: Land Application and Disposal of Manure and Process Wastewater**

<b>When was the last time a sample was taken of the manure and/or process wastewater?</b>	June 2013
<b>Describe the process to take the manure and/or process wastewater sample.</b>	Agitate before grab sample. Samples are sent to Dairyland Lab for analysis.
<b>Number of acres available for land application:</b>	520 acres
<b>Are land application records kept?</b>	Yes
<b>Is manure transferred off-site to another party?</b>	No
<b>Are manure transfer records maintained?</b>	N/A

**Table 7: Receiving Surface Waters**

<b>Describe the surface flow pathways:</b>	
An intermittent unnamed tributary flows to the south 275 feet from the facility. The tributary flows south to perennial Cedar Creek approximately 350 feet. The flow goes southwest in perennial Cedar Creek for 11.2 miles until it reaches perennial Little Richard Creek. It then flows 3.6 miles to the Pecatonica River. The Pecatonica River is a Traditional Navigable Water.	
<b>How many months out of the year is there flow in the nearest surface water pathway:</b>	During the spring, during storms and from November through the winter in the intermittent unnamed tributary of Cedar Creek. Cedar Creek is perennial.



<b>Are there any storm water pathways entering the facility?</b>	No
<b>Are there any clean water ponds on site?</b>	No
<b>What is the name of the first waterway that is a Traditional Navigable Water (TNW) for surface flow from the facility?</b>	Pecatonica River
<b>Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?</b>	Intermittent.
<b>Is the surface water pathway nearest to the facility considered to be impaired?</b>	No

**Table 8: Nutrient Management Plan**

<b>NMP on site?</b>	Yes
<b>Date NMP Submitted:</b>	2007 with revision on 12/19/08 by Matt Wagner
<b>Planner Name/Company:</b>	Willet Hofmann
<b>Storage Description:</b>	Earthen Manure Storage Pond
<b>Amount of Manure Generated:</b>	2.75 million gallons liquid/75 tons solid
<b>Capacity of Storage:</b>	1.3 million gallons
<b>Duration of Storage:</b>	180 days
<b>Amount of Spreadable Land:</b>	520 acres
<b>Mortality Management Plan:</b>	Rendering
<b>Clean Water Diversion System:</b>	Yes
<b>Direct Contact Prevention Plan:</b>	Yes
<b>Chemical Management Plan:</b>	None needed
<b>Conservation Practices:</b>	Yes. Buffers and setbacks identified
<b>Manure Testing Protocols:</b>	Yes
<b>Soil Testing Protocols:</b>	Yes
<b>Land Application Protocols:</b>	Yes
<b>Additional NMP comments:</b>	CNMP was out of date with respect to the animal numbers, animal housing, crop rotations and land application recommendations.

**Table 9: Land Application Records**

<b>Fields available for application this year:</b>	EPA did not observe any land application records during the inspection.
<b>Timing limitation on fields:</b>	
<b>Annual manure analysis for N and P</b>	
<b>Soil tests for fields (for P) less than 5 years old?</b>	
<b>Periodic inspection of land application equipment?</b>	
<b>Crop:</b>	
<b>Application Rate:</b>	
<b>Crop Yield Goals:</b>	



<b>Timing of land application:</b>	
<b>Method of land application:</b>	
<b>Additional land application information:</b>	

**Table 10: Facility Records**

<b>Diversion devices:</b>	EPA did not observe any facility records during the inspection.
<b>Impoundments:</b>	
<b>Depth marker observations:</b>	
<b>Water Lines:</b>	
<b>Mortality handling:</b>	
<b>Records at site of storage structure design?</b>	
<b>Overflow records:</b>	
<b>Crop Yields:</b>	
<b>Land Application Dates:</b>	
<b>Weather Conditions at time of application (24 before-24 after):</b>	
<b>Test Methods for Manure Testing:</b>	
<b>Test Methods for Soil Testing:</b>	
<b>Manure Test Results:</b>	
<b>Soil Test Results:</b>	
<b>Calculations of N and P applied:</b>	
<b>Application Methods:</b>	
<b>Application Equipment Inspection Dates:</b>	

## **2.2 Walkthrough of the Facility**

Upon arriving at the facility, EPA presented credentials and explained the purpose of the inspection to Ex. 6 (Personal Privacy) and Ex. 6 (Personal Privacy) Ex. 6 (Personal Privacy) were anticipating the arrival of a cement truck and informed EPA and IEPA that once the truck arrived they would need to help work the cement. The cement being poured was for the pad in front of the South Commodity Shed. EPA assured the Ex. 6 (Personal Privacy) that they would be able to do their cement work when the truck arrived.

Before the arrival of the cement truck, EPA discussed the work that Ex. 6 (Personal Privacy) had done as a response to the inspection by IEPA on April 24, 2013. In that inspection, Mr. Heeren identified the potential for discharge from the 6000 gallon tanker that sat on the facility driveway. The tanker held delactosed permeate (DLP), a protein by-product of whey. Mr. Heeren was concerned that a spill or vandalism on the tanker valve could cause a discharge to the intermittent unnamed tributary of Cedar Creek and then to Cedar Creek. Since then Ex. 6 (Personal Privacy) had fashioned a locking mechanism on the valve so it couldn't be tampered with.



IMGP0212 [REDACTED] constructed a cap for the pipe connection that can be locked with a padlock to prevent unauthorized release of DLP from the tanker truck.

Location: South of the South Commodity Shed

Facing: South

Date/Time: 09/17/13 9:33 A.M.

[REDACTED] also spoke about the concrete pad that was being installed in front of the South Commodity Shed. This pad would have an elevated lip on the west side that would prevent storm water from running over the pad and transporting any spilled feed. The owners also planned to sweep up any spilled feed immediately after feed mixing and loading or unloading feed from the commodity shed. In the interim, a dirt berm had been installed at the edge of the driveway to divert the storm water until the concrete pad was poured.

[REDACTED] had also placed concrete blocks on the east side of the driveway with a berm of agricultural lime in front of the blocks to prevent process wastewater from the driveway and concrete pad from flowing with precipitation to the intermittent unnamed tributary of Cedar Creek. The blocks had been partially moved to allow for the cement work to continue. [REDACTED] had also torn down an old commodity shed that was located on the west side of the driveway.





IMGP0217: Concrete blocks had been placed on the east side of the mixing area to prevent runoff to the intermittent unnamed tributary. Agricultural lime was placed on the west side of the blocks and dirt on the east side. The blocks were moved in preparation for the concrete delivery. Feed is temporarily stored here while the South Commodity Shed pad was being poured.

Location: East of the mixing area

Facing: South

Date/Time: 09/17/13 9:37 A.M.

After the discussion about the work being done at the front of the facility, EPA requested to view the CNMP and any records in support of the CNMP. **Ex. 6 (Personal Privacy)** left to go to the house to retrieve the requested documents. He arrived back to the facility with the CNMP but stated that he did not have any other documents or records. Just then, the cement truck arrived and EPA and IEPA reviewed the CNMP without either of the owners being present.

The CNMP had not been updated since the April 2013 inspection by IEPA, even though Mr. Heeren had observed that it was out of date and did not have the most current information about the facility. The CNMP was signed on February 9, 2009 and was developed for the time period of January 2008 through December 2011. The CNMP only listed 550 animals although an additional 330 head was added based on the number of animals that **Ex. 6 (Personal Privacy)** stated he had at the facility on the day of the inspection. The amount of acres available for land application was not correct, nor was the crop rotation, manure application recommendations and number of animal confinement buildings. **Ex. 6 (Personal Privacy)** stated that he performed soil testing every four years, and most recently in 2013, but he could not locate the records. There were no other records with the CNMP.

EPA and IEPA began the walk around of the facility without either **Ex. 6 (Personal Privacy)** **Ex. 6 (Personal Privacy)**



In front of the North Commodity Shed, there was a pile of raw materials and a pile of taco shells and Cream of Wheat packets. Runoff of process wastewater from the feed and raw materials could flow down the driveway west of the Old Dairy Barn or to the east and to the Cattle Working Area.



IMGP0220: North Commodity Shed has a pile of taco shells and Cream of Wheat packets out in the open. Runoff from this area could flow with precipitation either down the driveway west of the Old Dairy Barn or to the east and through the Cattle Working Area.  
Location: North of Old Dairy Barn  
Facing: North  
Date/Time: 09/17/13 10:50 A.M.



IMGP0222: Precipitation pathway from the North Commodity Shed to the east.  
Location: North of Old Dairy Barn  
Facing: North  
Date/Time: 09/17/13 10:52 A.M.



EPA walked to the east to Barn #1. The cattle in Barn #1 had recently been removed and the barn was empty. Slats in the floor of the barn allow manure to fall into an eight foot deep pit below the barn. The manure in the pit is pumped to the earthen Manure Storage Pond approximately every five months.

From inside the barn, EPA was able to see the Cattle Working Area. This area on the south side of Barn #1 is where new cattle come for tagging and injections before being transferred to a barn. It is also the area where cattle come before loading on a truck when they have reached their market weight. EPA noticed that although there was a concrete wall around the Cattle Working Area, there was a gap in the wall at the southwest corner. This corner is also the lowest point. EPA also noticed that there was a significant amount of manure in the Cattle Working Area.

**Ex. 6 (Personal Privacy)**

joined EPA and IEPA and explained that precipitation that falls on the roof of Barn #1 and on the Cattle Working Area would flow out at that location. From there it would flow to the vegetated area to the east of the concrete pad for the southern commodity shed. The intermittent unnamed tributary of Cedar Creek is approximately 275 feet to the southeast of the relief point in the wall of the Cattle Working Area.

**Ex. 6 (Personal Privacy)**

stated that it would be very difficult to scrape the Cattle Working Area because the concrete floor was cracked.



IMGP0229: Southwest corner of the Cattle Working Area where manure and process wastewater are not contained.

Location: Cattle Working Area

Facing: South

Date/Time: 09/17/13 10:54 A.M.

EPA and IEPA walked with **Ex. 6 (Personal Privacy)** to the north to Barn #2, Barn #3 and Barn #4. Although the feed in front of Barn #2 was open to precipitation, EPA did not observe



any runoff pathways to the east. The feed lane of Barn #3 was covered by an overhang in the roof. Both Barn #2 and Barn #3 have pits below the barns that have manure storage capacity of approximately 1.5 months. The manure is pumped from both pits to the Manure Storage Pond.



IMGP0236: Feed lane is exposed to precipitation for Barn #2.

Location: East of Barn #2

Facing: Southwest

Date/Time: 09/17/13 11:23 A.M.



IMGP0240: South side of Barn #3. Feed in feed lane is kept under roof overhang.

Location: East of Barn #3

Facing: West

Date/Time: 09/17/13 11:26 A.M.



To the west of Barn #3 is the newest open confinement barn at the facility, Barn #4. This barn has a ten foot pit below the barn with approximately six months of storage. The manure is land applied directly from the pit in the fall and spring. The feed lane is covered by a roof overhang.



IMGP0244: South side of Barn #4. This barn has a ten foot pit that is pumped out and directly land applied twice per year. The feed is covered somewhat by an overhang of the roof.

Location: Southeast corner of Barn #4

Facing: West

Date/Time: 09/17/13 11:31 A.M.

The Manure Storage Pond lays to the south of Barn #3 and #4. Between the barns and the pond is a confinement area for injured cattle. There were approximately ten head of cattle in this area. The confinement area for these animals also allowed them to access an area south of the Manure Storage Pond.



IMGP0243: Injured animals are confined in the space north and east of the Manure Storage Pond. They are also able to access an area south of the Manure Storage Pond.

Location: West of Barn #3

Facing: Southeast

Date/Time: 09/17/13 11:30 A.M.

EPA walked around the berm of the Manure Storage Pond. In the locations where the manure was pumped to the pond, the berm had been eroded and there were gouges in the berm wall. EPA also noted a couple of burrowing animal holes. The vegetation on the berm was not kept short and EPA estimated that there was approximately four feet of freeboard in the pond. The depth marker was located on the north side of the pond.





IMGP0245: The Manure Storage Pond appeared to have about four feet of freeboard.  
 Location: Northwest corner of the Manure Storage Pond  
 Facing: Southeast  
 Date/Time: 09/17/13 11:37 A.M.



IMGP0247: Erosional feature from where hosing is laid when manure is pumped to the Manure Storage Pond.  
 Location: Southeast corner of the Manure Storage Pond  
 Facing: Northwest and down  
 Date/Time: 09/17/13 11:39 A.M.



EPA walked east to the dry pathway for the intermittent unnamed tributary of Cedar Creek. Tall vegetation was in the tributary bed and EPA walked the pathway to the south. Corn was planted in the field to the west between the intermittent unnamed tributary and the facility.

At the southeastern corner of the corn field, EPA observed two dead cattle that had been placed on the bank of the waterway. The cattle were in an advanced state of decomposition and there were pools of maggots around the carcasses.



IMGP0251: EPA walked down the (dry) intermittent unnamed tributary from east of Barn #2 to Cedar Creek. Southeast of Barn #1, EPA observed two dead cattle lying on the bank of the tributary.

Location: Southeast of Barn #1 on bank of intermittent unnamed tributary

Facing: Northwest

Date/Time: 09/17/13 11:51 A.M.





IMGP0253: Mortalities were covered with maggots.

Location: Southeast of Barn #1 on bank of intermittent unnamed tributary

Facing: Down

Date/Time: 09/17/13 11:51 A.M.

EPA noted that the culvert for the intermittent unnamed tributary under McConnell Road did not appear to have any buildup of manure solids on the day of the inspection.

EPA walked to the concrete pad for the South Commodity Shed where Mr. Heeren, **Ex. 6 (Personal Privacy)** were waiting. EPA stated that two mortalities were found on the bank of the intermittent unnamed tributary. **Ex. 6 (Personal Privacy)** stated that they put the mortalities there because the animals died on the previous Friday in 90°F temperature and the rendering service did not pick up animals until Monday. He also stated that he hoped that we wouldn't see them during the inspection. EPA advised him to bury the mortalities immediately, especially since a significant rain was forecasted for the following day.

EPA provided **Ex. 6 (Personal Privacy)** with a closing conference and identified the areas of concern and the lack of records that are required for compliance with the permit. EPA removed the disposable boots and left them at the facility. EPA exited the facility at 12:50 P.M.



## 2.3 Closing Conference and Post-Inspection

**Table 11: Post Walk-Through**

Were specific "Potential Violations" discussed with facility personnel and with whom?	Yes, with [REDACTED] Ex. 6 (Personal Privacy)
Were specific "Areas of Concern" discussed with facility personnel and with whom?	Yes, with [REDACTED] Ex. 6 (Personal Privacy)
<b>Compliance assistance materials given to facility personnel:</b>	
Concentrated Animal Feeding Operations Final Rulemaking – Fact Sheet	
U.S. EPA Small Business Resources Information Sheet	
NRCS Most Common Conservation Practices for Confined Livestock Fact Sheet	
Tax Certification Program for Livestock Waste Management Facilities Fact Sheet	
Environmental Quality Incentives Program (EQIP) Brochure	
<b>Exit Time:</b>	12:40 P.M.
<b>Disposable Boots Left at Facility?</b>	Yes
<b>Vehicle Washed after leaving facility?</b>	Yes
<b>Date and Time that vehicle was washed:</b>	September 18, 2013 at approximately 7:45 A.M.

**Table 12a: Sampling Information**

Were samples taken?	EPA did not take any samples during the inspection.
Were samples split with facility?	
Number of samples taken?	
Was a trip blank created (done prior to entering the facility)?	
Identify which sample is the trip blank.	
Were field duplicate samples taken (1 duplicate per 20 samples)?	
Identify which sample(s) is/are the field duplicate(s)	
Were equipment blanks taken (if more than one type of equipment was used to collect samples)?	
Identify which samples were equipment blanks.	
List chain of custody for fecal coliform samples:	
List chain of custody for nutrient and general chemistry samples:	
Location where samples were preserved:	
Name of people involved with sample preservation:	
Time of sample preservation:	
Were samples shipped to a lab?	
Name/Address of shipping location:	
Date and time that samples were dropped off for shipping:	
Weather conditions at the time of sample collection:	
Camera name and type used to photograph sample collection:	

### **3. PERMIT VIOLATIONS**

EPA observed these permit violations:

1. The Nutrient Management Plan was not representative with respect to the animal numbers, the animal confinement buildings, the crop rotations, the land application acres, and the planned land application recommendations.
2. There were no records of:
  - a. the weekly inspections of the level of manure in the Manure Storage Pond;
  - b. weekly inspections of the structural integrity of the livestock management and waste handling facilities;
  - c. quantity of manure removed from the Manure Storage Pond every time it was dewatered;
  - d. land application records;
  - e. manure analysis;
  - f. mortalities;
  - g. weekly inspections of the storm water diversions, et al;
  - h. daily inspections of water supply lines, et al;
  - i. the design of livestock waste handling facility;
  - j. current calculations for the amount of nitrogen and phosphorus to be applied to each field; and
  - k. current amounts of nitrogen and phosphorus applied to each field.

### **4. AREAS OF CONCERN**

EPA observed these areas of concern:

1. Manure and process wastewater could flow out of the Cattle Working Area at the southwest corner to the vegetated area and then to the intermittent unnamed tributary of Cedar Creek. The intermittent unnamed tributary is approximately 150 feet to the southwest.
2. Process wastewater from the mortalities that were placed on the bank of the intermittent unnamed tributary would flow to the tributary.
3. The berm of the Manure Storage Pond was being eroded from the flow of manure being pumped to the pond from the under barn pits.
4. The vegetation on the berm of the Manure Storage Pond was not mowed and there were holes from burrowing animals in the berm.

### **5. LIST OF ATTACHMENTS**

- A) Aerial photograph of FOIA EX. 6 Land and Cattle with buildings, waterways and discharge pathways labeled.



# ATTACHMENT A

FOIA Ex. 6 FOIA Ex. 6  
 Land and Cattle, LLC  
 Dakota, IL 61018  
 Stephenson County  
 FOIA Ex. 6 (Personal Privacy)



Barn #4

Barn #3

Manure Storage Pond

Barn #2

North  
Commodity Shed

Feed  
Pile

Barn #1

Cattle  
Working Area

Old  
Dairy Barn

Machine Shed

South  
Commodity Shed

New  
Concrete Pad

Old  
Commodity Shed

Mortality

## Legend

→ AOC  
 FOIA Ex. 6 Facilities

NHDF lowline\_0709

FCode

Stream/River: Hydrographic Category= Ephemeral  
 Stream/River: Hydrographic Category= Intermittent  
 Stream/River: Hydrographic Category= Perennial

0 0.015 0.03 0.06 Miles

bing

McConnell Rd